

Notice of Allowability

Application No.

10/628,095

Examiner

PAUL T. CHIN

Applicant(s)

WHITE, DALE

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3652

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/14/04.
2. ☒ The allowed claim(s) is/are 1-8 and 10-12.
3. ☒ The drawings filed on 12 November 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

1. The following is an examiner's statement of reasons for allowance:

The closest reference, **Browne (2,989,334)** (see Office action sent on March 29, 2004) discloses a manipulating hand for handling an object comprising an elongate member (12) having a longitudinal axis, means (42,50) for retaining said elongate member parallel to the forearm of an operator, a rod (14) axially moveable with respect to said elongate member between an extended position and a retracted position, a hook (34) at a distal end of said rod, means for urging said rod to said extended position, a hand operable means (16,46) for drawing said rod to said retracted position, and an engagement member (24,26) for engaging said hook when said hook is drawn into said retracted position.

However, Browne (2,989,334) does not show *a release means for releasing an attachment means from the rod wherein the hook being rotated about the longitudinal axis while the attachment means is released from the rod in combination with other structural limitations*. The hook (34) of Browne (2,989,334) is pivotal at an axis which is perpendicular to the longitudinal axis of the elongated member.

Another reference, **Bertellotti et al. (4,377,906)** (see the attached PTO-892) (regarding claim 12) shows a member (14) having a longitudinal axis, a hook (16) and an engagement member (32) at a distal end of the member, the hook movable between a first position and a second position, means for urging (38), means for moving rod (14) and a trigger (20) for moving the hook, a handle and a tab (26), which can be considered as a release means for rotating the hook about the longitudinal axis (see Figs. 2 and 3).

However, Bertellotti et al. (4,377,906) does not show *the release means for rotating the hook while the trigger is released from the rod, an elongated member, means for*

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retaining the elongated parallel to the firearm of an operator, the hook in a second position abutting the hook against the engagement member in combination with other structural limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL T. CHIN whose telephone number is (703) 305-1524. The examiner can normally be reached on MON-THURS (7:30 -6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EILEEN LILLIS can be reached on (703) 308-3248. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PTC
July 23, 2004

ptc